U.S. ENVIRONMENTAL PROTECTION AGENCY

PUBLIC MEETING

MAY 13, 1999

BE IT REMEMBERED that the following proceedings were had before me, MICHELLE L. HAMLETT, a duly qualified stenotype reporter and duly commissioned officer of the State of Indiana, on Thursday, May 13, 1999, at the Griffith Town Hall, 111 North Broad Street, Griffith, Indiana, and commencing at the hour of 7:00 p.m.

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MR. BLUM: Good evening everybody. I guess we'll get started. My name is Gordie Blum. I'm a Community Involvement Coordinator with the U.S. EPA in Chicago. With me tonight I have Kevin Adler. Kevin is a project manager for the U.S. EPA. Also, I have Sean Grady. Sean is the project manager for the Indiana Department of Environmental Management. We also have some representatives from Montgomery Watson. Peter Vagt will be speaking a little bit later on the Proposed ROD Amendment Plan.

I guess everyone is wondering why we're here tonight. The reason we're here is to accept your public comments on the Proposed ROD Amendment regarding the American Chemical Services site. If you look at the agenda that I passed out -- you guys might not have had a chance -- there's some fact sheets and agendas and things located over at the table. In a little bit, I'll kind of go over what a ROD Amendment is for those of you that maybe this is your first meeting, or it doesn't make sense to you. After I'm through, Kevin, Sean, and Peter will give a presentation of the specifics of the plan and what it is we're proposing to do. After that, we'll have a brief question and answer period. And I want to stress right now that if you have any questions at

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that time about what Sean or Kevin goes over, please ask them at that point. Because, after that, what we're going to do is we're going to move into a formal comment period.

If you look to my right, you'll see we have a court reporter tonight. The reason she's here, she's recording tonight's meeting word for word. And later on a copy of a transcript of tonight's meeting will be placed in the information repositories. She'll be recording your public comments for the record.

During the formal public comment period, however, we won't be responding to your comments. I should also stress that you don't have to give your comments on the plan tonight. You can write to us. The address is in the fact sheet. You can fax them to us, or you can email them to us or you can phone us. What we do is we take the comments that you give us tonight verbally. At the end of the comment period on May 21st, we also take the comments that we receive by fax, by email or by mail, and we respond to them in a document called a responsiveness summary. That will also be placed in the information repositories as part of the ROD.

Now, I keep talking about this ROD. What is a ROD Amendment? Let me kind of give you a brief

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overview of what a ROD amendment is and how it fits into the Superfund scheme of things.

This is kind of your typical chain of events for your Superfund site. Contamination gets discovered. You do your site assessment. If the site -- if it's determined that it scores high enough, then it is proposed for the National Priorities List. Of course, ACS I believe is an NPL site, right, Kevin?

Then you move into your remedial investigation and your feasibility study. And what that is is you look at your contamination, you try to figure out what it is, how much it is and how you're going to be able to treat that.

Then you move into the proposed plan stage. You know what the contamination is. You have a good idea of how much is out there. You try to come up with some plans that will help you clean up the site. And back in 1992, if some of you remember, we presented five or six proposed plans, and we decided upon one which is called the Record of Decision. That's where you decided what you hope is the best plan and you're going to move forward and try to implement that plan. We've been at the next stage, which is the remedial design and remedial action, for the last couple of years.

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As often happens, during the design stage, you do some further studies and some things happen that you decide, well, let's take a second look at this. Maybe this isn't the best plan or some other factors come up.

So what you have to do is what we're looking at tonight. It's called a ROD Amendment. You decide you need to make some changes to the Record of Decision which, again, I said we did back in 1992. It's basically determined that if the changes fundamentally alter the basic features, either the scope, performance, or cost, the Agency must propose a ROD Amendment. We can't just go ahead and do it. We have to go back to the public and say, "Hey, look, we want to do this change. What do you guys think of it?"

There's some certain things that are mandatory. We have to publish a notice in the local newspaper, which we did for tonight's meeting, and provide 30 days for the comments which, as I said, ends May 21st.

I know I moved through that kind of quickly. So before we go any further, are there any questions on anything I went over so far? If not, right now I think I'll move into the presentation portion with Kevin from the U.S. EPA. He'll talk about the specifics of the ROD Amendment.

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MR. ADLER: Okay. My name is Kevin Adler. I'm a project manager with the U.S. EPA in Chicago. I'm in charge of cleaning the American Chemical Service Superfund Site which is what tonight's meeting is about. I've been assigned this site since December of 1998. So I'm fairly new to this particular site. I've been with the EPA for about 13 years, so I've been around the block for a little bit.

MR. BLUM: Kevin, she's having trouble hearing you.

MR. ADLER: Tonight's meeting is to present our information to you, our proposal to amend the Record of Decision Amendment, ROD as we call it, our official decision document, the EPA considers the method for cleaning up the site to achieve protection of human health and the environment. As Gordon said, we're having a public comment period, thirty-day public comment period for our proposal to you. We are interested in what you have to say. Your thoughts may help sway us in making our decision on this particular proposal.

Information that we've used to make our proposal to you and to make our decisions are located at these two places here in the town: upstairs in the town's clerk office also at the Griffith Branch Library up

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the street.

Some of the materials that we used recently to help us make this proposal to you, I'll put these items on the screen. You can follow along in your sheets here. Including the pretreatment materials handling study, which is a study used to determine how well can we dig the materials out of the ground, what kind of potential impact that will have on the site workers, if any.

A thermal treatability study which shows what is the ease of being able to put this material contamination that we dug out of the ground into a treatment machine and how well would that treatment work and how much may it cost.

We have a document termed the alternative remedy proposal, nine criteria evaluation. Our standard nine criteria that the EPA uses to determine whether or not a certain cleanup method is feasible or not, safe or not, or practical to implement at a cleanup site.

We have our 30 percent design report which is essentially what we are proposing to you tonight, left out with a little more details that we'll be able to provide to you tonight.

And last, our plans and specifications for parts of the cleanup action that we're talking about tonight

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that are already in the ground.

The American Chemical Service Site, ACS, is located on South Colfax Avenue. Redar Road is here (indicating). It consists of four main areas of concern. On the American Chemical Service, Inc. property in blue, we have two areas of concern, the on-site containment area and the still bottoms area where a lot of waste that we're interested in was disposed of.

South of the tracks in the off-site area in the Kapica-Pazmey area are two other areas where waste disposal occurred during the years of operation.

UNIDENTIFIED SPEAKER: Is there any way of dimming some of the lights because the projection is really not very good.

MR. ADLER: Is that better?

UNIDENTIFIED SPEAKER: Thank you very much.

MR. ADLER: In 1995 and 1990, approximately, the ACS Corporation operated as a solvent recovery business or an incinerator to dispose of solvents. And in the course of standard business practices at the time, materials weren't always recycled. Those that could not be recycled were disposed of on the property.

Tonight, we're learning about contamination that

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occurred back in the past. And we're not throwing blame on ACS for their business practices at the time. We're just trying to deal with what's there and how can we clean it up properly. We're not blaming them. We're just trying to deal with the facts that we have now.

And, as Gordie noted, the site was placed on the National Priorities List in 1984. That made it eligible to receive funding to pay for studies to determine the nature and extent of contamination at the site, what's there, what's really a problem, what can we do about it, how much will it cost to do something about it.

That first decision we had was done in 1992 based on information that we had collected from the time period of 1988 to 1992. And, at that time, we selected the method of using a low temperature thermal treatment device to treat soil and debris that we would have excavated from the site, handled, and placed into that treatment device to remove the organic compounds from it until it was safe to put that back into the ground.

We located approximately 400 55-gallon chemical drums out at the site at that time. Part of the plan was to excavate those drums up, sample those drums,

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and take that material off-site for disposal.

And then we've identified areas that groundwater or ground site that were contaminated. And we said -- we pumped that contaminated water out of the ground and put it through a treatment device to remove the chemicals out of that water, and then discharge the clean water out of the treatment device.

Some other minor parts of the cleanup decision included using soil vapor extraction, which I'll have Sean explain in a few minutes what that is; a possible cleanup method in some of the areas.

We needed to go out and further sample the wetlands to the west of the site to determine the nature of the contamination out there and then perform a cleanup as necessary.

Then we do some other things like fence the site to prevent trespassers from coming into contact with the contamination, monitor groundwater qualities elsewhere, place deed restrictions on the property to prevent unauthorized use of the property in a manner that would be harmful to the environment based on what we found out already.

The impact of that decision is that there is going to be an estimated cost of 38 to 47 million dollars to perform the complete cleanup action over a

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six- to eight-year time period to perform that cleanup action. And we would end up with a property that you can build homes on, residential (inaudible).

Our reasons for proposing our alternative cleanup plan for tonight are several, based on information that we collected since that 1992 decision. We did our tests, material handling tests, treatability testing, and determined that if we were to go out there and excavate this waste, it may be unsafe to do so because of the high level of organic compounds that are out there. If we had to excavate this material, a large amount of organic compounds may vaporize out of the ground putting workers at risk. Putting local residents at risk. Unless we took great pains to control those organic vapors. Great pains cost a lot of money. And the estimated cost of performing that cleanup went from 38 to 47 million dollars up to 150 million to 250 million dollars after treatability studies.

Also, we've discovered that the low temperature thermal treatment device may not be suitable to treat some of the debris that we've been excavating out of the ground. And to properly treat it, we may have to use incineration. I don't believe incineration is allowed in the State of Indiana. So we would have

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problem there.

So this proposal is coming to you tonight whereby we would perform a containment remedy with some treatment of the organic compounds in that ground versus the full complete cleanup remedy that we envisioned in 1992. We would clean up the American Chemical property to industrial standards. That's what that is is an industrial area.

The treatment would come from using soil vapor extraction to remove the organic compounds as best as we can from the ground without excavating those soils. And we're still going to look at using groundwater, standard groundwater cleanup methods, pump and treat, to clean up the groundwater to drinking water levels, but we were going to look at some other methods too, to clean up the groundwater without the impact of putting in a lot of pumping wells we may have on the area.

The impacts of our proposal, we believe what we are going, would like to do would be safer to perform. Since we don't have to excavate the waste, the workers wouldn't be exposed to high levels of organic compounds. It would be much safer for them. It would be much safer for the local residents and for the people who work at American Chemical Service.

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But, in exchange for that safety, we have containment remedies with some treatment versus a full treatment method. So there's a little trade-off there. But the soil vapor extraction and the barrier wall technology that we're proposing to use are proven technologies. We would have a shorter year to implement these technologies, three to five years to put them into the ground versus six to eight years to dig the soil out and put it through a treatment device. The estimated cost of the cleanup is back to 47 to 50 million dollars doesn't include the money that's been spent to date investigating the site and putting some parts of cleanup action into effect. The estimated total cost of the clean up action will be around 60 million to 70 million when we're all done. So it's much less than the previous estimate of 150 to 250 million dollars. But, more importantly, to me, it's going to be a safer action for the people who have to do the clean up action.

I've hurled some technologies at you, so I would like to ask Sean from the State of Indiana to examine what is soil vapor extraction, what is the barrier wall, and what is groundwater pumping.

MR. GRADY: My name is Sean Grady. I work with the Indiana Department of Environmental

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Management. I am the project manager for the State for this site. I have also been -- I'm kind of new to the site myself. About the same time Kevin came on is the same time I came on the site. So both of us are kind of new to this site. However, we've got up to speed pretty well. We know the issues pretty well.

I'd like to discuss basically the technologies that we're planning on implementing or we'd like to implement here at this site. And we're going to give you a brief overview of all the ones here. Then we'll kind of go into detail.

The first one is going to be a drum removal. There's an area at the site that contains several drums, several hundred drums. And we're going to do a removal of that.

Then we're going to have a soil excavation. In the wetlands, there's contaminated PCB soil in there. We're going to do an excavation and remove that.

Then we're going to have soil vapor extraction which we've talked about that as well. There will be two areas on the site that we will install those, hopefully.

Then we'll also have a containment portion of the remedy which consists of a barrier wall, a surface cover, and then the pumping system. Then we're going

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to have a groundwater treatment plant that actually will treat the groundwater and take care of the VOCs and contaminates.

Okay. On the drum removal here, the most common practice here is the common practice to remove areas of intact drums buried on site. This is something that is commonly done when we have contaminated sources out on the site. Then what we're planning on doing is we're going to take the drums that we've removed that are intact, that were buried, we're going to remove them from the site. And then the drums in themselves will be sampled. And then we're going to send those off site for proper disposal.

The contaminated soils, if there's any contaminated soils around the drums that we do remove, we're going to excavate those and place those into one of the areas on the property that we're going to treat with soil vapor extraction.

And then the last thing is excavation that -- when we go out and clean up the drums and take those out, we're going to go back and fill those in with clean fill. Basically, there's going to be a hole there, so we're going to do that.

Okay. The soil excavation, this is another common practice to do. We want to remove the

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contaminated PCB soil in the wetland. It's been contaminated for quite some time. It's affected some of the habitat. So that's one of the reasons we're looking at removing contaminated soil. And there's about an area acre-wise there in the wetlands that will be excavated. And then just west of the property on the ACS property there.

The PCB soils that are greater than one part per million will be excavated. So we're going to -- we're proposing to remove all soils down to one part per million. And all soils that range above 50 parts per million will be sent off site to a proper toxic landfill. And then the soils that are under 50, those will be placed somewhere on the site and then covered up with a surface cover. Then what we plan on doing is after that, we're going to go back, grade the wetlands over and redo a vegetation reestablishment type of scenario, kind of restoration plan. And that's what's going to happen in this wetland area.

All right, soil vapor extraction. Soil vapor extraction is a series of wells that are drilled within a contaminated area. So there's two really major contaminated areas on the ACS property that will have this type of technology implemented in those two areas. And, basically, you drill a well inside and

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apply a vacuum to the end of the well. And it sucks up basically the vapors that are inside the soil. And the vapors are basically the volatile organic compounds that we're trying to remove. Then we're going to collect all the vapors. And it will be treated through a catalytic oxidizer which kind of breaks them down. And then the granular activated carbon units also absorb the particles that the oxidizer doesn't take care of. Then we're going to discharge and then we'll meet IDEM's air permit discharge.

Then we have a containment wall, a barrier wall is what we call it. It surrounds the entire site at ACS. And this is kind of -- I'm going to pass this around. You all can take a look at this. This is part of the barrier wall. It's a plastic -- it's like a 60 mil layer plastic, polypropylene, I believe. And it's keyed into the bottom clay layer of the upper aquifer that surrounds this site. You guys can take a look at that and see what that looks like. This technology is used to contain the source that's there on the property. There's two -- like I said, two sources, we have this encircling the entire source of the water that's in there. It's contaminated, cannot migrate and flow off the property.

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UNIDENTIFIED SPEAKER: Is this polypropylene or high-density polyethylene?

MR. GRADY: It's high-density polyethylene. Yeah, there you go. Sorry about that.

Okay, the surface covers. We're going to basically use a combination of several types and -- but the surface cover is going to be placed over these two contaminated areas to reduce the infiltration. It prevents direct contact. It eliminates soil dust and migration from source areas. We want to prevent water, like rain water coming in and helping force the contaminants outside. It also does a reduction in the infiltration limits and the amount of groundwater contacting the contaminants.

Some of the covers that we're going to use are clay, soil, plastic and asphalt. And most of these covers are designed to be similar to those of other hazardous waste landfills.

UNIDENTIFIED SPEAKER: Is it going to be a combination of all those?

MR. GRADY: Certain areas are going to have different combinations of it. There's some -- we're still kind of negotiating on how we're going to use some of the types of materials right now on the covers, but we're going to use a combination of these

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right here, more than likely.

UNIDENTIFIED SPEAKER: How much does this remedy save over the one in the '92 ROD?

MR. GRADY: It's going to save upwards of a hundred million dollars.

UNIDENTIFIED SPEAKER: And who gets that money?

MR. GRADY: Nobody.

UNIDENTIFIED SPEAKER: So the money --

MR. GRADY: It's not spent.

UNIDENTIFIED SPEAKER: Is there money set aside already for it?

MR. GRADY: For this remedy?

UNIDENTIFIED SPEAKER: For the remedy.

MR. ADLER: Is there money set aside by the EPA for the remedy?

UNIDENTIFIED SPEAKER: No. Is there money available for the cleanup in the '92 remedy if it was workable?

MR. ADLER: Is there money available? The EPA is pursuing a group of companies that we consider to be potentially responsible for the waste being there. And some of those companies are large and some of them are small. And the question is, is the money available within those companies, likely, yes.

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UNIDENTIFIED SPEAKER: No. Is there any legal commitment to the EPA at this point for any amount of money?

UNIDENTIFIED SPEAKER: Is there an escrow account?

MR. ADLER: There is one escrow account that has been made in 1985 when we settled with about thousand small, very small companies. There is 25 million dollars at that point. That money is destined to be used to pay for a part of this cleanup action.

UNIDENTIFIED SPEAKER: Are all buried barrels going to be removed from the property?

MR. ADLER: All buried barrels, no.

UNIDENTIFIED SPEAKER: Do you know the results of the drum testing; and how deep did you test?

MR. GRADY: They -- we did a pretty extensive groundwater treatment or groundwater investigation.

UNIDENTIFIED SPEAKER: How deep? How deep?

MR. GRADY: How deep?

MR. ADLER: The lower aquifer is -- we have some maps here you can look at.

THE COURT REPORTER: I can't hear.

MR. BLUM: I know this is kind of akward,

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but you have to speak up so the court reporter -- if you have a question, so she can get it down.
MR. ADLER: The question was is the vapor aquifer impacted and the answer is no. We have the upper aquifer. We have the clay layer which prevents water from moving from the lower aquifer which is sand. The drinking water wells are in the lower aquifer. The upper aquifers were on the groundwater contamination.
UNIDENTIFIED SPEAKER: So the water at a 150 feet is clean?
MR. ADLER: Yeah, not impacted by the site.
UNIDENTIFIED SPEAKER: Do you have a hydrologic map for the site?
MR. ADLER: We do.
UNIDENTIFIED SPEAKER: Is that available?
MR. ADLER: Yes, in the repositories.
UNIDENTIFIED SPEAKER: Where?
MR. ADLER: Upstairs.
MR. GRADY: One of the other treatment technologies that we're going to use is a pumping system. We're going to use wells located at strategic points throughout the site to achieve a hydraulic containment of inward flow. I'd like to kind of describe this to you in some fashion. Basically what

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we have, if you have a cup that you have sitting in a bathtub, and it doesn't have anything in it, and you try to submerge it, if you have it where you don't totally submerge it, you have an inward force of trying to push the inside of this cup, water trying to go inside it. It just can't quite make it. That's kind of what we're trying to do here. We're lowering the water table inside this containment wall so that it's lower than the normal groundwater level outside in this upper aquifer. And so water is going to try to penetrate inside this wall. We're going to keep that in an inward flow. It kind of helps us know that our wall is intact. There's no problem for remedy on that part of the wall.
We're also going to have wells that pump and remove contaminants in the shallow groundwater. And we're also going to have -- this will prevent further migration of contaminated groundwater. And that's going to be important.
Then we're going to collect the groundwater and treat it and discharge it into the wetlands. And the groundwater treatment is basically the groundwater that we extract from the ground, we can treat in a building that has been built. It's a groundwater treatment plant. It's kind of a miniaturized scale of

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what you would probably see at like the Town of Griffith treatment plant, water treatment plant. And then it will meet IDEM's water quality discharge limits when they discharge the effluent into the wetlands.
I'm going to turning this back over to Kevin.
MR. ADLER: Okay. To summarize then, our proposal to clean up the American Chemical Service Site, our proposal to change our 1992 remedy, includes the installation of a subsurface barrier wall around the containment area. Sometimes it's called a slurry wall, but because we have that heavy duty plastic, we call it a barrier wall. That prevents the movement of contamination out of the area that's contained.
To help that containment, we want to lower the water table within that barrier wall. That creates a hydraulic containment. Like Sean says, water wants to get in instead of getting out. Water is flowing out of the gravity from a high level to a low level. It's flowing in towards a low level.
Part of the containment will be a soil cover, various components on the site, to prevent casual contact with contamination. If you were to walk on to that site, and you didn't have permission from American Chemical, you would be walking on a clean

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cover rather than on contaminated dirt. Part of the function of that cover, however, is to keep rain water and snow melt from washing into the contaminated area and filling up our bathtub. We want to minimize that so we don't have to pump as much water out of there. Every gallon you pump out costs money to treat and take care of.
UNIDENTIFIED SPEAKER: In the future, are they going to be able to build on capped areas?
MR. ADLER: It depends on the future use of the property. The cap is engineered to withstand the weight of a building or whatever you need to use that property for. It will be an industrial area. It will be used for industrial purposes, not for residential housing --
UNIDENTIFIED SPEAKER: To your knowledge, in the future, is there going to be possible plant shutdowns for periods for construction?
MR. ADLER: I don't know anything about the American Chemical Service plant operations. I can't answer that. You'd have to --
UNIDENTIFIED SPEAKER: Well, I mean, as far as the EPA digging the drums, this and that.
MR. ADLER: The cleanup action will be performed in such a way as to prevent the closure of

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the plant.
UNIDENTIFIED SPEAKER: So, to your knowledge, there's not going to be any plant shutdown?
MR. ADLER: To our knowledge, there won't be any plant shutdown when we have to go in and do the cleaning up, right. We're going to try to stay out of the way. They're going to try to stay out of our way as best as we can.
To go along with the treatment remedy or the containment remedy, we have a treatment component to remove the organic compounds from within our containment area. And there's two reasons we want to do that. One is if you have high levels of organic compounds in there, those high levels could potentially impact the integrity of that barrier wall that we've installed over a long, long time period. Plus, the more we remove, the less costly in the future it's going to be to treat the water that we pump out of that bathtub. Because we have less and less contamination in that water, there would be a lower effort to try to clean it before we discharge it.
Okay. Then the wetland area, again, we'll have to excavate some areas in there, about two acres in the total area to remove shallow levels of sediments

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that contain polychlorinated biphenyls or PCBs that have been derived from the site, has run off, left the site after heavy rains and so forth. To comply with regulations, anything that contains more than 50 parts per million PCBs have to be sent off site for proper landfill disposal. Anything less than 50 parts per million can be contained on site. (Inaudible) that would be used to help the grading -- to help rain water and snow melt to run off the property.
UNIDENTIFIED SPEAKER: I have a question.
MR. ADLER: Sure.
UNIDENTIFIED SPEAKER: How did the '92 ROD come up with the future use of residential for the property?
MR. ADLER: That's what was selected at the time. In 1986 and 1990 when the EPA, our Congress promulgated the Superfund law, the emphasis was on treatment of the waste. So we didn't have to address it anymore. Once it's been incinerated and the organics are gone, we don't have to address them.
UNIDENTIFIED SPEAKER: I understand. My question is more specific. How did the 1992 ROD come up with the assumed future use? What was the specific procedure that it went through out of assuming future use?

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MR. ADLER: That would have -- you'd have to go back and look at the remedial investigation report which went through that.
UNIDENTIFIED SPEAKER: What was the procedure by which you decided to revise the assumed future use? Who initiated that?
MR. ADLER: Who initiated that? I believe it was a combination of several parties, parties that we are currently now negotiating to perform the final cleanup actions.
UNIDENTIFIED SPEAKER: The polluters, the polluters.
MR. ADLER: The people that brought their waste to American Chemical for disposal, yes. American Chemical was entrusted with preserving the use of its property as an operating facility for a specialty chemical corporation, as I understand it. So there is some merit to their request that we not clean up the property to residential standards because it's unlikely that it's going to be zoned residential in the future and then homes would be able to be built out there. It's more likely that the property is going to be remaining zoned commercial/industrial as it is now, I believe.
UNIDENTIFIED SPEAKER: And the town

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officials concur with that? They agreed that that's a good idea?
MR. ADLER: The town officials have not been told. Their comments are welcome tonight during the comment period.
UNIDENTIFIED SPEAKER: If the Town decided to rezone that property to residential, would it affect your remedy?
MR. ADLER: In the future, if it was rezoned to residential, it's likely that the remedy could be affected.
UNIDENTIFIED SPEAKER: At what cost?
MR. ADLER: You saw the cost up there, a hundred and fifty million dollars.
UNIDENTIFIED SPEAKER: So if the Town wanted to increase the investment in the preliminary cleanup by, let's say, times three, they could simply rezone the property residential?
MR. ADLER: I don't know. Probably, if you want to put it that way. If you want to put it the other way that they're spending a hundred million dollars more than you need to spend to protect human health and the environment, you can put it that way too. If you want to put the site workers at risk to take all this material out and incinerate it on site,

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you can.
UNIDENTIFIED SPEAKER: The extra hundred million, would that come out of the treasury?
MR. ADLER: I don't know where it would come from.
UNIDENTIFIED SPEAKER: Presumably it would come from the polluters; right?
MR. ADLER: What do you mean?
UNIDENTIFIED SPEAKER: Well, you have an action, a legal action against the polluters; wouldn't they have to come up with the extra money?
MR. ADLER: In theory, yes; in practice, perhaps not. They may decide that they have a good case, that we have a remedy that's perfectly doable, that can be done. It's safe to the workers. The protection of human health and the environment is there. They might be able to tell the court system, "Hey, the EPA made us do too expensive of a remedy. We demand relief." So, in theory, the taxpayers could pay for some of this, or they may not. It's too hard to say.
UNIDENTIFIED SPEAKER: You have -- you've showed a map of the site.
MR. ADLER: Sure.
UNIDENTIFIED SPEAKER: But you haven't shown

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two things, one, the contaminated aqueous plume and, secondly, the current 1997 barrier wall. Do you have a map of that?
MR. ADLER: Yes, we do. After I finish my presentation here, we have a gentleman from the PRP group, the potentially responsible party group, a contractor who will show you the implementation of the proposed remedy. And part of the information that he has has a map showing a location of the barrier wall.
UNIDENTIFIED SPEAKER: And the aqueous plume?
MR. ADLER: And the plume, yes. I can show you that right here. That's also on page two of your fact sheet that was mailed to you.
UNIDENTIFIED SPEAKER: It's very small. It's kind of hard to see.
MR. ADLER: The black line represents the area in the upper aquifer that we found organic compounds above detection for laboratory instruments around the American Chemical Service Site.
UNIDENTIFIED SPEAKER: Okay. And these locations indicate what?
MR. ADLER: Those are monitoring locations. They have a well sunk into the ground.
UNIDENTIFIED SPEAKER: On that map, where is

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the prairie?
MR. ADLER: Well, here's north (indicating). Here's Colfax and Redar. The prairie is up here.
UNIDENTIFIED SPEAKER: Which way is the plume moving, by the way?
MR. ADLER: It depends on where you are on the site. If you're right here (indicating), it's sort of radial flow because over here (indicating) we have the wetlands area. And the water again is flowing from high to low. And it's higher here (indicating) than it is here (indicating). So naturally without the barrier wall system in place, it would be flowing this way (indicating). Down here, (indicating) it is higher here (indicating) than it is here (indicating). So, naturally, it's flowing this way (indicating). That's why we see this little plume right here.
UNIDENTIFIED SPEAKER: Colfax is which road?
MR. ADLER: Colfax is this way right here (indicating).
UNIDENTIFIED SPEAKER: So the flow would be to the north --
MR. ADLER: Through here (indicating) and also in this direction (indicating).

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MR. GRADY: Southeast and northwest.
UNIDENTIFIED SPEAKER: Southeast and northwest.
MR. ADLER: That's why we see this part of the plume down here and also why we see this in general all the way around it because the property --
MR. BLUM: Because we do have to get to the public comments, the public comment period tonight, I'm just going to ask that you put your questions on hold just for a few minutes. So that let Kevin finish his presentation and then Peter can give his. Then we'll do some more questions. This is just to ensure that everyone who wants to make a comment tonight on the proposal has a chance to do so.
MR. ADLER: The rest of mine is pretty quick now. I wanted to summarize what we are proposing to put into the ground and just briefly run over the nine criteria that the EPA uses to determine whether a given cleanup remedy is feasible or not. And you have those two here and also in your fact sheet.
In general, the most important one is the overall protection of human health and the environment is there. The answer for both the 1992 ROD remedy and this particular proposal is yes. Human health would be protected. We prevent contact by humans. We

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prevent -- excuse me -- contamination that is out there. And we also try to clean up that groundwater contamination that's not going to be used for drinking water at this time.

Compliance with Federal and State laws regulations governing the environmental cleanup. Containment remedies and treatment remedies both provide permanent solutions in their own ways.

The proposal would have a reduction of the waste volume out there using our soil vapor extraction equipment to remove as much of the organic compounds out of the ground as possible. But there would still be some left. That's why we have the containment as part of the cleanup action.

Another important one of these nine criteria is short-term effectiveness. If we were to do the 1992 ROD remedy, again, our workers may be unsafe. It may be unsafe to excavate this material out of the ground of such high levels of organic compounds. It's my opinion, the Agency's opinion, that it's safer to perform remedies that we are proposing than the 1992 remedy.

And, again, as Sean told you, the components that we would like to use in our Proposed ROD Amendment are all easily implementable. They are standard

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technologies that are used at other cleanup sites in the nation and in the State of Indiana.

UNIDENTIFIED SPEAKER: I don't understand that. I don't understand that. You say it's not safe for the workers if they were to clean this up completely.

MR. ADLER: Not as safe.

UNIDENTIFIED SPEAKER: Right. There's lots of other sites the EPA has cleaned up that were worse than this; right?

MR. ADLER: That gets to the number seven. If we had to make it so it would be safe, it would have such a huge price tag attached to that. Workers would have to wear moon suits, essentially. They'd have to have breathing apparatus strapped to their back like a fireman has when he goes into a burning building. We'd have to build temporary structures around the small areas that we are excavating to prevent the vapors from leaving those structures until the cleanups were done. The State acceptance, I believe the State of Indiana is tentatively for this proposal. And the community acceptance we're trying to measure tonight and during the 30-day comment period.

In general, we believe that this proposal meets

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the statutory criteria for Superfund cleanup remedy. It's protecting human health and the environment, et cetera.

UNIDENTIFIED SPEAKER: Who is the state official that gave the approval for the acceptance?

THE COURT REPORTER: Mr. Blum, I need names. I need them to say their names.

MR. BLUM: Even if it's not on the record?

MR. GRADY: Basically, the commissioner of the Department of Environmental Management would be approving the remedy.

UNIDENTIFIED SPEAKER: So who is that now?

MR. GRADY: Lorie Kaplan (phonetic).

UNIDENTIFIED SPEAKER: So we can direct our concerns to her if we object to the State accepting?

MR. GRADY: Yes, that would be one, right. I can take your concerns as well. I'm a representative for IDEM as well in this situation.

MR. BLUM: Can I get your name, sir, for the court reporter? And, if you have a question, could you state your name beforehand?

THE COURT REPORTER: And spell it, please.

MR. BLUM: And spell it.

THE COURT REPORTER: Otherwise, you will be an unidentified speaker.

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MR BLUM: Because this meeting tonight is a matter of public record. It's going to be in the repository.

THE COURT REPORTER: Can I have your name, sir?

UNIDENTIFIED SPEAKER: No.

MR. BLUM: If you refuse, that's fine too.

MR. ADLER: The next part of the presentation then is to try to answer these gentlemen's questions, you know, what's the barrier wall, where is the contamination plume and what is the actual meat and bones of our proposal. Mr. Peter Vagt from Montgomery Watson is the contractor that has been hired by the companies that the EPA is pursuing to perform this action has that material for you.

MR. VAGT: As Kevin said, my name is Peter Vagt. I work for Montgomery Watson. And I've been a project manager for Montgomery Watson and its predecessor for the last ten years. So I do have a fairly long history with the site.

Kevin has gone over the general history of the site and how it has worked through the Superfund process till now. Sean went over some of the overview of the technologies that will be used for the cleanup. And my purpose is to put kind of a schedule

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on the project, what has happened and what is going to be happening at the site.

This is the map -- it's probably too small to read at the vision that you've got up here, but it shows some of the things that you've been asking questions about. It shows the blue line going around which is the plume of contaminated groundwater in the upper aquifer. We've got one of these laser pointers here. I'll try to use it. It shows the area of contaminated groundwater in the upper aquifer. An RIF, remedial investigation and feasibility study was conducted back in the early 1990s, actually the late '80s and early '90s where a number of monitoring wells were put in. The map that Kevin showed you earlier showed a number of points that were tested on the site by going around, drilling a small hole, collecting a groundwater sample, analyzing the water to very accurately pinpoint the outer extent of that contamination.

Identified -- in overview, the things that are going to be happening or have happened is that the area of PCB contamination in the wetland is going to be removed. An area of drums is going to be excavated and removed. A barrier wall has been installed around the mass of buried waste. And my list here -- then

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the waste inside that area in basically three areas, one here (indicating), one there (indicating) and extending down into the further south area will be treated by soil vapor extraction which Sean went over in some detail. I will show you a little more detail on how that will work. And then the areas will be capped and covered to stop surface contact and also to reduce the amount of infiltration that goes into those, into the ground itself.

There are some components to the remedy that have been completed. Remedial investigation was finished, as I say, in 1992. There were a number of studies that were necessary to determine what technologies were appropriate. And one of the first things that was done in 1995, a fence was put around the remainder of the site. In 1997, a 4,500 foot barrier wall, the material being passed around was put around the site. I'll go into a little more detail on that in a few minutes. An extraction system consisting of eight trenches to pump groundwater out of from inside the barrier wall was installed. As Sean explained, it's like a bath -- a cup. I think he used the word bathtub here. Once that barrier wall is put around it, the groundwater doesn't have anywhere to go. The contaminants are kept inside. But, of course, if rain

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continues to fall on the surface and sink in, the water level goes up. So as soon as the wall was put in a place, a system of pumps and trenches to extract groundwater was put in and put in place to remove that groundwater.

A permanent groundwater containment system was installed, I'll go into it briefly. And a groundwater treatment plant was built. So the water was being extracted. It has high levels of contamination into it. It is treated to drinking water standard clean, and then released into the wetland on out to the west of the site.

The things that have been completed are the extraction trenches. This line shows three. There are three trenches, if you know the area, to the north and to the west of the ACS facility itself. Three 500-foot trenches have been installed. Groundwater is extracted or pumped out of those, put through a treatment system and discharged to the wetland. That is capturing -- if you recall there is a plume of groundwater that goes on out. That is capturing the groundwater that has moved out from the site stopping it from going out any further.

In addition, a barrier wall has been installed around the site, 4,500 feet, and stops further outward

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movement. First, I'd like to go into the extraction system a little bit, the trench, the PGCS, I've talked about here.

This was a machine that was used. If you drove up and down Colfax, you may have seen this machine in action in 1997. This is it out of the ground. It's like a large ditch witch with a cutting edge here. There is a pipe area that you'll see in the next photograph right here with a white hose going in, comes down and goes out at the bottom, that location.

This then cut, three 500-foot long trenches filled with gravel putting a hose at the bottom which the water can be pumped out of to capture and stop the groundwater from moving outward from that location.

This is that same machine cut into the ground. You can see a hose at this location that's feeding in going 20 feet down into the ground being laid at the bottom of the trench. Gravel is being poured in to fill that trench. So there's three 500-foot long or fifteen hundred feet total of trenching that has a pipe at the bottom to take water out of.

The next picture is a cross-section of the site. This is like if you are taking a knife and slice down at Colfax Avenue and look over towards the west. Thi (indicating) is the north part of the site. This

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(indicating) is the south part of the site, the ground surface here. This (indicating) is the upper aquifer.

This (indicating) trench was cut down in the upper aquifer to the top of the clay layer which separates it from the lower aquifer. That now is being pumped on a continuous basis to capture the groundwater that's moving outward from the site and to treat it so that it doesn't get released further and discharged.

The wetland does not move further out to the north. Notice, I have two red lines here (indicating).

These are the barrier walls. Since this is the cross-section, you'll see the two ends. But, in fact, that goes all the way around the site. You'll note it cuts down into the clay area. This is a very is low permeability clay area. That groundwater really has not been shown to move through at this point.

UNIDENTIFIED SPEAKER: What kind clay is it?

MR. VAGT: When you say clay, it's natural clay that is glacially -- glacial teal would be the origin of it. If you were to examine -- we did some tests on the permeability. It had a ten to a minus

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eight or a ten to a minus nine centimeters per second.

UNIDENTIFIED SPEAKER: What test was used?

MR. VAGT: And a triaxial in situ test and also a test, a triaxial test, permeability test in the laboratory. And we also have tested some of the soils in place.

UNIDENTIFIED SPEAKER: Would it have pressure?

MR. VAGT: Yes.

UNIDENTIFIED SPEAKER: What kind of pressure was used?

MR. VAGT: I don't have that offhand.

UNIDENTIFIED SPEAKER: Is the data available?

MR. VAGT: The data is in the repository up here, upstairs.

The clay thickness is about ten feet underneath the ACS site. This line doesn't mean anything in cross-section except that's about where the railroad tracks is that cuts this site north to south.

And this is the area that is the ACS plant. This is what has been called the off-site containment area. It was named after because that's where things were disposed of off the ACS site. There's buried waste here (indicating). And there's buried waste

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down in this area (indicating).

The barrier wall was cut completely around the site creating the bathtub that Sean talked about, so the contaminants cannot move outward from the site.

The next photograph is the machine putting that in place. This is at the south end of the site. This is the town garage area. That is the dog pound right here (indicating) and the Town landfill. This is going along the south border. These (indicating) power lines are the ones that go along Redar Road.

And you can see that there's a stretched out piece of the 60 mil high-density polyethylene, ETPE, that you see up here. This was put continuously around the site and a clay mix put in around it that had a tenth of a minus seven centimeters per second that was tested, laboratory tested also. It's a bentonite slurry mix actually. You can see it at this location around each side of it. Then that was built all the way around the landfill. Those two things, the PGCS, permanent groundwater containment system, and the barrier wall have, in essence, contained the system at this point for the first two steps of the remedy.

There are further remedial actions that are going to be conducted outside. One is to upgrade the

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groundwater treatment plant. At the current time, we have the capacity to pump at about fifty gallons per minute. We want to increase that so that we can dewater inside the barrier wall to treat the waste that is in there. And that is going to be an increase in the building size, an increase in the process that goes on to be able to treat two things, higher concentrated water and also a larger volume of water.

We will be moving forward to do the wetland cleanup. At this point, we have a preliminary plan that we will be starting this summer. We'll be starting some of these things, the groundwater treatment plant upgrade, the wetland cleanup.

In the on-site area, there are -- the original ROD listed 400 drums. We've done some subsequent geophysics. We think there is up to a thousand, maybe more drums in that area that will be excavated, taken out and sent off site.

We will then also --

UNIDENTIFIED SPEAKER: Are those the only drums on the site that you think there is any evidence of?

MR. VAGT: We know that there are -- there have been drums at several different locations we've encountered. Those were drums that we know were

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buried intact with the intent of containing waste and be buried underground in an intact form. We have found in other locations, a number of drums or drum pieces that are not intact that were buried perhaps as barrels full of material, empty or to some degree full. But they weren't buried in a sealed condition and so they -- it wouldn't be possible to take the non-intact ones out. That's the area where the soil vapor extraction will be done. This is an area, the on-site containment area is an area that we know the drums were placed intact. We've seen them on two different occasions. We've already removed a patch of 40 of them when they were putting the waterline in. And we took out 40 drums and one that had corroded and over packed it. So out of 41, 40 were intact and one was not. In other areas, we have found that pieces of drums have been disposed of.

There will be capping and then groundwater remediation is continuing at this point out of the PGCS and will continue into the future also.

I want to spend a little bit of time to talk about the soil vapor extraction. Sean went over the details of the general concept. I'd like to talk about the precise method that would need to occur. Again, this (indicating) is a cross-section looking at

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just the upper aquifer with the clay beneath it. We know this is the railroad tracks that separate the site on the north, some buildings and tanks outlined to show you where that is.

Then, to the south, there is the off-site containment area where we know there is buried waste. The barrier wall would be outside of this picture, but does cut that off. The expectation is that one of the first things that we'll do is separate the two halves of the site by putting in another barrier wall so we can control the water level on the north side and the south side independently. Once that's been done, we'll lower the water on the south side of the off-site containment area exposing the buried waste to the soil vapor extraction. There will be number of wells put into place that will then be -- a vacuum will be put out to suck out the vapors and remove the vapors.

After that has gone on and gotten stabilized, we move to the north side and dewater that and then move on to treating the waste on the north side.

UNIDENTIFIED SPEAKER: What percent of the contaminants will the soil vapor extraction remove?

MR. VAGT: There are a number of different kinds of contaminants. We don't know what the percent

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will be at this point. We know that what the soil vapor extraction will remove is the volatile organic compounds which are the ones that are mobile in the environment. They're the ones that would resolve in the groundwater and potentially move away. So we would be expected to remove a very large percentage of those volatile organics. It won't be removing the nonvolatile organic compounds or the metals. They would be staying in place, be captured or kept in place by the containment remedy which is the other part of it.

UNIDENTIFIED SPEAKER: What metals are involved?

MR. VAGT: The one in particular that was noted in the remedial investigation was lead. And we think that has to do with the paint perhaps that was on some of the drums that were scraped off or rather sandblasted off and repainted for process. We found that near the ground surface in the drum recycling area.

UNIDENTIFIED SPEAKER: Does ACS handle catalytic mixtures that are used in (inaudible)?

MR. VAGT: I don't know.

UNIDENTIFIED SPEAKER: Okay. Because quite a number of rather toxic metals are used there.

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MR. VAGT: Well, as I say, the metals have been identified, in the risk assessment that was done was lead.

UNIDENTIFIED SPEAKER: Okay.

MR. VAGT: So I don't know that other leads were identified. I know that there weren't other leads identified. Other metals were identified, whether lead is one of the ones you're talking about, I don't know.

This (indicating) is the on-site area where it shows the concentration in parts per million of volatile organic compounds, 10,000, 1,000 out to 100. This (indicating) is the main office. Excuse me. This is the main office building. This is the area of the fire pond. This is the area of the parking lot in the ACS facility.

The plan will be to put in approximately 50 extraction wells that will be there to suck out the vapors. Those, when the vapor is -- suction is applied to them, they will have a radius of influence that goes out about 30 feet. As you can see, those overlap and cover the entire area of high concentration. Those will be operated and connected up with a series of pipes through which the vacuum will be applied. And then the system will be started

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up, initially starting up with about eight of them, not starting with the whole mass at once, but starting with just a few of them. You can see the color shading here (indicating), start operating a few. Then as those are -- as we understand what vapors are coming out at what rate, the others will be added on and added to the -- the whole system will be scaled up to remove the vapors that can be removed from the site.

After the vapor extraction system has been put in, stabilized, we know it's operating correctly -- this (indicating) is the same area -- then the area will be capped and will be graded so that it has -- promotes runoff from it. And then the runoff system, as these blue lines show, it will make the water run off the site so that it doesn't infiltrate into the site and simply have to be treated.

As you go to the bottom, similar cover system planned for the off-site area also similar SVE, soil vapor extraction system, is planned for the off-site area. Basically, it's a repeat of what I've showed you here of wells going in, being connected up by pipes, the area then being capped. That would occur on the off-site also.

So we have a phase schedule at this point that

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we've set up that we expect. The schedule will be set up at this point starting now in 1999, moving forward within the next three to five years is the time frame that Kevin went through.

MR. ADLER: Pending selection of the ROD amendment.

MR. VAGT: Pardon?

MR. ADLER: Pending selection of the ROD amendment.

MR. VAGT: I guess I should call it a preliminary schedule. As this process works through, when, if and when this remedy gets put into place, this would be the starting point, this year, moving forward over the next three to five years.

The first steps are site preparation. Those would include such things as taking the sediments out of the wetlands, removing the drums from the on-site area and doing some preliminary capping and putting in the barrier wall that separates the north from the south.

Then the off-site area of dewatering would start, as you recall, when I had that slide that showed the water level dropping down, that would be this dewatering that would occur over a period of about a year. And the SVE or the soil vapor extraction system

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would be installed. The 50 or so wells would be installed, hooked up to start the vapor extraction system. That would go into operation at the second half of this (indicating) dark purple line.

And then as several of the wells are put on and brought up to full speed, this system would then go into a long-term O and M period. It would go on out five, ten years, whatever time frame is necessary to reach the cleanup levels that are defined in the remedy which will also be joining the repository upstairs in a few weeks.

The step is -- the process will be to start with the off-site area to do the dewatering, build the system, get it going on to long-term O and M. Once that system is stabilized, after about a year, when the off-site area is dewatered, move and start the dewatering or pumping out of the water on the north side, build the treatment system there, cover it, and then go into long-term O and M.

Along that whole time frame, the groundwater treatment system would continue. That's what's occurring now in the PGCS. And also that's the trench off to the north side. That would also continue with the extraction trenches that are inside the barrier wall. That continues for the long-term.

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As Sean explained it, you have this tea cup -- I picture it as a tea cup when I explain it -- a cup that you lower in the water with the gradient or the pressure is trying to get into it. This system is to keep the water level lower inside so that there's not a force -- out of the wall but rather continue moving inward to it.

From here, I'd like to go through a few pictures that we have of the site. This is the building you can see driving down Colfax. Off beyond the fences behind the ACS facility, that is the building that houses the treatment plant at this point. That operates about 50 gallons per minute.

Under this remedy, under the schedule that I showed you, that treatment plant will be expanded to be able to take a higher concentration. And the size of the building will go back a little bit further than it does now.

Inside the building, we have a number of processes. The first step it goes through is a phase separator. The water comes in and goes through an oil/water separator in the top. If there were oils or free organic liquids without water in it, those would be separated out and put into this tank. To this point, we've haven't gotten any free product, as we

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would call it, or any organic contaminants. But at the point -- at such point as that did occur, they would be collected from this point and then sent off site for disposal. Yes?

UNIDENTIFIED SPEAKER: What do you think of the '92 ROD?

MR. VAGT: May I finish my presentation?

UNIDENTIFIED SPEAKER: Sure.

MR. VAGT: And then we'll open the whole thing up for questions.

From there, water goes into the treatment plant. And the first step of the treatment plant has been UV oxidation. Ultraviolet oxidation breaks down the chemicals, organic chemicals into carbon dioxide and water. The upgrade of the plant -- the upgrade of the plant is going to be replacing this step and putting in a biological treatment plant that's able to take higher concentrations of contaminants.

From there, the water goes into a chemical precipitation at the top. It removes the metals that are in there and also flocculates the fine particles and picks those off, runs those over to a sludge press. And then that material is sent off site for disposal also. From there, the water goes on into a sand filter where it runs in the bottom, goes up

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through the top. At this point, you can see that the water that's in there is very clear. And from there, it goes into the carbon treatment system which polishes, as I said earlier, to a final water quality. That is, in essence, drinkable water. In fact, it's cleaner than drinkable water. It has a -- it's clean enough to be discharged directly to the wetland. And that's what it does now at about 50 GPM that the water is treated at.

MR. ADLER: And how often is that sampling?

MR. VAGT: The sampling, the treatment plant itself is now sampled every month. We sample the water coming into the treatment plant, the water going out of the treatment plant. And we have had a couple of times where we detected something in it, but in each case it has turned out that we have not had it exceed some of the contaminant has gone out into the wetlands.

I think Kevin is going to try to oversee questions in general at this point. You may want to direct who answers which questions or maybe --

MR. BLUM: What we'll do for the next 10 or 15 minutes -- and thank you for the excellent presentation -- we'll do a quick question and answer period. If you have any questions about what we went

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over tonight, please ask them at this time because immediately after this, we're going to go into the formal comment period. At that point, we won't be responding to your comments. We're simply accepting your input and taking that back to Chicago with us. We will respond to those at the end of the comment period on May 21st. So, with that being said, let's open up with questions right now.

MR. ADLER: You don't have to feel pressured to comment tonight if you don't want to. There's a fact sheet. There's a written comment form. Our phone numbers are in the back. Our email addresses are back there as well. There is many ways we can take your comments. And if you have questions after tonight that we can't answer, we can take those questions and call you back if you leave your name and number. If you come up with a question tomorrow, please call these numbers and we'll try to answer those for you.

MR. BLUM: Do you have a comment, sir?

UNIDENTIFIED SPEAKER: Yeah. Has the air quality on the property ever monitored?

MR. BLUM: Can I ask, sir, for this that you state your name for the public record.

THE COURT REPORTER: And spell it.

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MR. BLUM: And spell it. You don't have to. It's just nice. We're doing tonight's meeting as part of a public record.

UNIDENTIFIED SPEAKER: Forget it.

MR. BLUM: Okay.

UNIDENTIFIED SPEAKER: Is the air quality ever monitored on the property of all this garbage that permeates through the soil? Is it a threat to the employees?

MR. ADLER: The air quality is not being monitored now for the waste that's in the ground. American Chemical Service is a chemical preparation facility. And they may have emissions from their plant that they must meet State requirements for. But the waste in the ground right now is not monitored because it's not shown to be a type of threat.

UNIDENTIFIED SPEAKER: Does the company have any (inaudible)?

MR. ADLER: Does the company need permits? On its own property, it doesn't need permits. What we would ask for in the future is the cooperation with us when we install our components of the cleanup remedy, that if they need to dig, they coordinate with us before they do so, so it can be safely done and not destroyed either.

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UNIDENTIFIED SPEAKER: Yeah, because I keep hearing about the safety of the possible workers in the future. That's the future. What about now? Where's our protection? I don't see the air (inaudible).

MR. ADLER: The air quality is not being monitored right now. Part of the protection right now is the barrier wall that's been installed for contamination off site.

UNIDENTIFIED SPEAKER: In your paper here, the proposal, you mention very few organic materials in there. I think one was chloroxine and the other one was benzene. What other materials are there?

MR. ADLER: Well, there's a whole soup of materials because, as I understand it, the business recycled many solvents. So the 1992 Record of Decision and the supporting documentation of the remedial investigation and the risk assessment done at that point identified many, many organic compounds from many different classes. We have benzene, chlorinated hydrocarbons. We may have had alcohols. We may have had ketones, formaldehydes, and things like that.

UNIDENTIFIED SPEAKER: (Inaudible) solvent included?

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MR. ADLER: I don't know the specific, all the chemicals that were disposed of out there.

UNIDENTIFIED SPEAKER: All right. Have you estimated the effect on the barrier wall?

MR. ADLER: That's one of our concerns. That's why we're using a combination of many different components to effect containment of the materials there. And that's why we're asking that SVE be used to remove the mobile contamination.

UNIDENTIFIED SPEAKER: Do you know if any of them are (inaudible) solvents for the barrier?

MR. ADLER: In theory, bentonite clay does not hold up to high levels of organic compounds.

UNIDENTIFIED SPEAKER: Right. It's ionic. And what you're talking about here is polar organic.

MR. ADLER: It tends to drive the water out of the clay and cause it to shrink. And then you cannot block the water from moving through it.

UNIDENTIFIED SPEAKER: Then you have TLC percolation from the bentonite.

MR. ADLER: But as far as the HTPE that you may have handled, over the long-term -- over the long term, there may be degradation of the long, long-term high levels of organic compounds. People who market that material claim otherwise.

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MR. GRADY: There's also -- inside, there's perimeter, inside the perimeter of this wall is a groundwater distraction system too. So water that's coming out to try to break down the wall will be captured to the groundwater system.

UNIDENTIFIED SPEAKER: One thing your presentation did not state is that you're proposing a slurry wall. Where is that going to go?

MR. ADLER: That's the barrier wall.

MR. GRADY: That's the barrier wall.

UNIDENTIFIED SPEAKER: That's the barrier wall. The current barrier wall --

MR. ADLER: The current barrier wall is made up of a sandwich of that material --

UNIDENTIFIED SPEAKER: Right.

MR. ADLER: -- that we're handling with approximately one foot on each side of it.

UNIDENTIFIED SPEAKER: There's not yet another wall going to be placed in there?

MR. GRADY: Yeah. There will be a separation wall between the two sites, between on site and off site.

UNIDENTIFIED SPEAKER: Okay. But this is not a containment wall that you're going to be putting in then?

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MR. GRADY: No, no.

UNIDENTIFIED SPEAKER: It's not a circulation containment wall?

MR. ADLER: No. That's already in place.

MR. GRADY: That's already in place.

UNIDENTIFIED SPEAKER: So as far as I can see now, you're doing nothing about the -- I'll shut up in a second. You're not doing anything about the contaminated water that's out there except at some later date try to pump it backwards into some point and treat it?

MR. GRADY: No.

MR. ADLER: That's incorrect. There is a groundwater extraction system which we call the perimeter groundwater extraction system.

UNIDENTIFIED SPEAKER: Okay.

MR. ADLER: That is outside the current location of the barrier wall. That is pumping water that is outside of the barrier wall to the treatment plant to remove chemicals from that water in an attempt to clean up benzene and chloroethane from the water in that area. Again, I'll bring this map out and show you. In this particular area, approximately right here (indicating), is where we see the higher levels of benzene and chloroethane mentioned in the

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fact sheet. That's where the groundwater is currently being extracted and pumped to the treatment plant.
This (indicating) is the approximate boundary of the site. And that's approximately the location of the barrier wall. There is an extraction system inside that barrier wall that is also pumping out at a much lower level right now because the water is more contaminated. That's where the treatment plant upgrade will have to come in because we started pumping more contaminated water out. We need a better method to treat it.
So the answer is yes, we are treating water outside of the barrier wall, pumping it out and trying to clean it out. This area here (indicating) and this area here (indicating), we have some concerns because of the levels of benzene or chloroethane in it. They are examining ways to effect a better cleanup method than just simple pump and treat. We may not be able to pump and treat this water out here because we have to put so many wells in people's backyards to do that cleanup method, that we have to try to figure out a better way to do it.
But, right now, we are pumping and treating here (indicating). And we are testing an innovative method of clean up right here (indicating).

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UNIDENTIFIED SPEAKER: Who's we? Who's treating that? Is American Chemical employees -- is American Chemical doing the treating? Who's doing the treatment?
MR. ADLER: When I used the term "we," I use it saying the Environmental Protection Agency. What we are doing is overseeing the actual implementation of this work by a group of companies that call themselves the American Chemical Service Potential Responsible Party Group.
UNIDENTIFIED SPEAKER: There's a treatment plant on site?
MR. ADLER: Yes.
UNIDENTIFIED SPEAKER: Who owns that? Who is the company operating the treatment site?
MR. ADLER: American Chemical Service Potential Responsible Party Group, a group of between 30 and 40 companies that have gotten together and addressed --
UNIDENTIFIED SPEAKER: That's incorporated, right?
MR. ADLER: No, it's not incorporated. It's a group of 30 to 40 companies with their own --
UNIDENTIFIED SPEAKER: And they were the ones who built that treatment facility, put all that

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equipment in; and they designed it according to your specifications; and they had their employees treating it?
MR. ADLER: People that they have hired, yes.
UNIDENTIFIED SPEAKER: What's the monitoring schedule for influent and effluent?
MR. ADLER: The monitoring schedule according with the State NPDES laws is on a monthly basis. Water coming into the plant --
UNIDENTIFIED SPEAKER: You've got a highly contaminated site that's monitored once a month?
MR. GRADY: It has continual monitoring inside the plant as well.
UNIDENTIFIED SPEAKER: What kind of continual monitoring?
MR. GRADY: They monitor the pH and the SODs and COD.
MR. VAGT: You have continuous monitoring of indicators of contaminants. Once a month, we do a very detailed analysis of every possible contaminant.
UNIDENTIFIED SPEAKER: You have continuous monitoring --
MR. VAGT: We have continuous monitoring.
UNIDENTIFIED SPEAKER: Who reads that

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monitor? Is it on a daily basis, monthly, or what?
MR. VAGT: We have a computer system that has sensors that are continuously monitoring the kinds of things that show us if there's a system upset.
MR. ADLER: Or malfunction.
MR. VAGT: Pardon?
MR. ADLER: Or malfunction.
MR. VAGT: Those would be a trigger to say something is going wrong or something isn't going wrong.
UNIDENTIFIED SPEAKER: What are the triggers?
MR. VAGT: We have several, COD. We do have some that are easy to do in the laboratory. The pH, in general different parts of the --
UNIDENTIFIED SPEAKER: This is the effluent now you're talking primarily?
MR. VAGT: This is at several different points through the treatment system.
UNIDENTIFIED SPEAKER: These computers are hooked up to where? Who's reading these charts? Is it just winding up a piece of paper?
MR. VAGT: Well, Montgomery Watson has been hired --
UNIDENTIFIED SPEAKER: And that's your

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company?
MR. VAGT: That's my company. And we have an on-site operator. And we have an engineer that gets the data and keeps track of that on a daily basis.
UNIDENTIFIED SPEAKER: Right there on site?
MR. VAGT: We have an operator on site and somebody in the office. So we have one person on site and one person --
UNIDENTIFIED SPEAKER: That monitors are -- the computers are hooked right up to your office?
MR. VAGT: The main computer is in the office -- not in the office, in the treatment plant itself. We can dial in from our office and modem an uplink and dial right into the system. But, in general, we don't do that. Instead, we're simply running --
UNIDENTIFIED SPEAKER: There is someone on site every day looking at the chart?
MR. VAGT: Yes.
UNIDENTIFIED SPEAKER: It may be worth mentioning that there's set points. And if one of the perimeters goes out of that set point, the whole thing shuts down and stops pumping.
UNIDENTIFIED SPEAKER: You work there

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yourself?
UNIDENTIFIED SPEAKER: No. I work in the office.
UNIDENTIFIED SPEAKER: Is there anybody that works on site here today?
MR. GRADY: Yes.
UNIDENTIFIED SPEAKER: Are these analytical systems, or do you have to take grab samples and process them before the analysis?
MR. VAGT: The set point that Tom was talking about are in the system itself wired into it. The sampling that we do once a month is a grab sample.
UNIDENTIFIED SPEAKER: Okay. What kind of sensors are you using then?
UNIDENTIFIED SPEAKER: Well, pH in particular, pH sensors. There's pH sensors throughout the plant. And if there's an upset on one piece of equipment, the pH is going to give us an indication. COD is a grab sample that will analyze on a bench scale.
UNIDENTIFIED SPEAKER: You grab the COD every day then?
UNIDENTIFIED SPEAKER: Yeah, pretty much every day.

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UNIDENTIFIED SPEAKER: That's a grab sample as opposed to automatic?
UNIDENTIFIED SPEAKER: Right.
UNIDENTIFIED SPEAKER: I have a question. One of the biggest problems about these meetings is that people come to them from the public and, you know, they're not engineers for the most part. They don't know exactly what's going on. They depend upon the EPA for a lot of technical information. You're the guy that's responsible for the site for EPA; is that correct?
MR. ADLER: Right.
UNIDENTIFIED SPEAKER: And what's your title?
MR. ADLER: I'm the remedial project manager.
UNIDENTIFIED SPEAKER: And you've been there for like a long time, years; right?
MR. ADLER: Thirteen years.
UNIDENTIFIED SPEAKER: Do you agree with this amendment to the ROD?
MR. ADLER: Do I agree with it? I think it's the proper thing to do.
UNIDENTIFIED SPEAKER: Have all of the EPA technical people that have looked at the site agreed

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with it?
MR. ADLER: Have all of the EPA technical people that have looked at the site agreed with it? I don't think it's possible to get all the people to agree to everything.
UNIDENTIFIED SPEAKER: Do you know of any that have disagreed with it?
MR. ADLER: I don't know of any personally that have disagreed with it myself, but I don't talk to all 180 technical people on the floor.
UNIDENTIFIED SPEAKER: So none of the technical people at the EPA come up and said to you "Hey, man, that's a really screwed up thing. You ought to make sure they don't amend that ROD because they ought to spend the money to clean up that site"? Nobody's said that to you?
MR. ADLER: Nobody has said that to me.
MR. BLUM: There are some oversights in place. You don't just --
MR. ADLER: I'm not the final decision-maker.
MR. BLUM: Right, that's what I'm trying to stress.
MR. ADLER: The final decision-maker is a couple layers of supervision above me. He or she,

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depending on the time of day, is presented that information to make the final decision. And that person is a technical person too.

MR. BLUM: Sir?

UNIDENTIFIED SPEAKER: I have a question.

MR. BLUM: Okay.

UNIDENTIFIED SPEAKER: It seems to me like the EPA is really doing its best to correct order in the operation, and they're progressing from one stage to another which is very complimentary. (Inaudible). I, however, see a flaw here. Who's going to be paying the future bill here? This is where the taxpayer of Griffith is going to (inaudible).

MR. ADLER: The question is, who's going to pay the bill for the cleanup now and for the future operation to maintain the proposed remedy.

UNIDENTIFIED SPEAKER: Right. That's my question.

MR. ADLER: According to the law, the EPA, can pursue entities that are potentially responsible parties, those people who own the properties, those people operate the property, those people who transported waste to the property, those people who owned or sent waste to the property for whatever reason.

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We have a group of well over a thousand companies, based on records that American Chemical Service has, that sent various quantities of waste to the site from 1955 to 1990 for disposal for one way or the other, recycling or incineration. All those entities are potentially responsible to help pay for the cleanup at this site.

In 1994 and early 1995, we entered into an agreement with about 1,020 smaller entities, small companies to some larger corporations that didn't send as much quantity of waste to the site. We cashed them out. They paid a certain amount of money to the EPA. We put it into a trust fund to clean up the site when it occurred. They got out of the system. So we will no longer pursue them to help pay for the cleaning up.

There are other larger companies who sent larger amounts of waste to the site which we call the -- grouped together -- called the American Chemical Potentially Responsible Parties Group which EPA is in negotiation with to put a cleanup remedy into place. That entity would be responsible for constructing the remedy, then operating it until it's no longer necessary to operate. They would be the ones paying the bills. The taxpayer would not be paying those

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bills.

MR. BLUM: Because of time constraints, what I'm going to do right now --

UNIDENTIFIED SPEAKER: Can I see your map again with the black line? The large black line, that's the limited contamination, no contamination?

MR. GRADY: That's the off-site migration.

MR. ADLER: As of the date of June 12th, 1996. This map hasn't been updated to this moment.

UNIDENTIFIED SPEAKER: But the one part here to my left, why does the black line stop right there and doesn't pick up again until further down?

MR. ADLER: We haven't sampled as of the date of this map in the Town dump to determine how much contamination is there.

UNIDENTIFIED SPEAKER: You have not sampled the Town dump?

MR. ADLER: As of this date.

UNIDENTIFIED SPEAKER: Up until 1996 you haven't sampled the Town dump yet?

MR. ADLER: At that point, no. There's no reason to. It's a different entity than American Chemical Service Site. The Town is responsible for closing its own landfill.

UNIDENTIFIED SPEAKER: You're talking about

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the migration from American Chemical?

MR. ADLER: We don't know what went into that landfill. What about migration from the landfill?

UNIDENTIFIED SPEAKER: Wouldn't any net migration of contaminants into the landfill then become the responsibility of the Town and therefore the taxpayer?

MR. ADLER: Or the other way around.

UNIDENTIFIED SPEAKER: Right. So we have to know. So we ought to find out.

MR. VAGT: The Town does have their own monitoring system that does extend -- that is outside of that line.

MR. BLUM: What Kevin is saying that it's separate from American Chemical Services.

UNIDENTIFIED SPEAKER: But we don't know, right?

UNIDENTIFIED SPEAKER: Still you got American Chemical.

MR. BLUM: Here's what we're going to have to do at this point. I really apologize, but part of the reason we're here tonight is to take public comments on the proposed plan. I'm just going to stop the questions for right now. And I am going to open

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up the floor for public comments. We can go back to questions after the public comment period or after the meeting tonight. We'll hang around. We'll be here to talk about this or whatever else in the future, but this is mandatory that we do this.

UNIDENTIFIED SPEAKER: It's mandatory that you take it, but if you start the public comment period and then end it and then have further questions, people that have questions will not be able to include those in the comments. Why not take the questions first?

MR. BLUM: I know. But I'm sorry, sir, we only have a certain amount of time too. Also, I want to stress that the public comment period goes until May 21st. You do not have to give us your input tonight on the plan. You can fax them to us. You can mail them to us in the fact sheet. As we said before, there's a form here you can fill out. I mean, you don't have to use this form. You can use whatever. You can mail it to us. You can email it to us. You have until May 21st. If you'd like to do further investigations in it, you can call Kevin at any time. He'll be willing to talk to you. There's also information in the repository in the Town Hall here, and, again, in the library right down the street.

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So for the next however long we have, I want to open up the floor for public comments. We have to have a few ground rules when we do this. Basically, it's very simple. We're going to do them one at a time. You have to speak slowly and clearly so the court reporter can get down your information. Please state your name right away and spell it for her. And if we could, try to keep your comments to a few minutes so we can get to everybody. And that's basically about it. So, if you have comments right now that you'd like to state on the Proposed ROD, I'll open the floor up right now. Sir?

UNIDENTIFIED SPEAKER: I had gotten some information over the Internet --

THE COURT REPORTER: Name please.

MR. BLUM: And, again, this is not our -- this is public comment. (1)

MR. MALMQUIST: My name is Rick Malmquist. The last name is M-A-L-M-Q-U-I-S-T. I work at American Chemical. This is kind of a question and reasoning why it should be done differently. According to some of the information I got, it stated there was up to 80,000 drums out there; is that correct?

MR. ADLER: The number may be misleading as

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Pete said earlier. There may be carcasses of drums out there, especially in the off-site containment area which may not contain anything because they are -- have been punctured over the years or rusted away or whatever.

MR. MALMQUIST: Okay. So if there's 80,000 drums and you're only going to take out 400, it seems to me that you could filter the ground for a hundred years and not get all this contaminant out unless you were to get out all those drums.

MR. ADLER: Thanks for your comment.

MR. BLUM: Sir?

(2) MR. THOMAS: I'd like to make a comment. My name is [redacted]Thomas. And my comment is I think that there is completely inadequate information being given to the public prior to this public comment period. And, secondly, if there is a question about the number of drums on the site, the EPA should come up with an estimate that's dependable relative to the number of drums that were on the site and how many, in fact, degraded and deteriorated over time and how many are still out there. It doesn't seem to me that there's very much certainty about the number of drums that can be removed intact. And it certainly isn't clear to me how many drums, in fact, have deteriorated on the

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site.

MR. BLUM: Thank you. Anyone else?

UNIDENTIFIED SPEAKER: Yes, but I want to wait until everybody else is done. Mine's voluminous.

MR. BLUM: It looks like you may be up, sir. (3)

MR. SMOLKA: All right. My name is [redacted]rge [redacted]olka. I live in Griffith.

MR. BLUM: Could you spell that, sir.

MR. SMOLKA: Yes, S-M-O-L-K-A. All right. I see a great many problems. Number one, the types of materials and the numbers of materials that were listed in your proposal is woefully inadequate. The efficacy of the barrier wall depends in great part on the types of materials that you're going to be trying to retain and contain.

Secondly, you're making an assumption that a clay layer is going to impede the percolation of the organics. I would be more than willing, having quite a bit experience both in (inaudible) type clays -- yes, you will contain it for a period of time, but we're talking an indefinite period of time. Unless that material is all removed over some reasonable period of time, it will eventually percolate through

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everything. Once it reaches the second aquifer, I think you're going to have a very serious problem because you've got people that do have wells and are still using wells for drinking water and other things.

Once that second aquifer is contaminated, it is my humble opinion that cleaning that up will be extremely, extremely expensive. Therefore, containment does not look to me to be the best procedure because all you're doing is postponing the inevitable. And since costs generally tend to go up, the overall costs are going to continue to go up.

Secondly, the nature of the materials that are down there including toxic metals really needs to be addressed. Those things have a percolation or distribution rate quite different from the organics that you're trying to contain.

Thirdly, you're using ultraviolet. I have a question with respect to that. That's a free radical initiative reaction which means any chlorinated or I should say halogenated organics have a potential for producing dioxin. Has anybody checked that?

MR. BLUM: Maybe we can get back to that after the comment period.

MR. SMOLKA: Right. It's important. It

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means that your destructive technique, unless you're enriching it with oxygen as part of the system, it may be causing as much harm as good. And this is in question.

MR. ADLER: Hydrogen peroxide is used in the process.

MR. SMOLKA: It is. Okay. That doesn't hurt. In any case, overall, I see this to be insufficient.

Thirdly, I don't know -- since the last estimate of the aqueous plume was in '96, quite a lot of things could have happened since then. You really need to have some idea of where this material is right now and you don't. And that, as far as I'm concerned, is quite unacceptable.

MR. ADLER: Well, let's clarify that. That map was done as of '96. Our last estimate of the plume is not as of '96. That was the only available map that I had today to be able to hold and show you.

MR. SMOLKA: All right. Do you have another update?

MR. ADLER: Well, the smaller update, as you indicated, is hard to see is within this --

MR. SMOLKA: That is a current estimate of where the plume is?

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MR. ADLER: Right.

MR. SMOLKA: Okay.

MR. ADLER: I'm sorry for that.

MR. SMOLKA: I think that covers most of what I have to say. The rest is technical. I will give it to you in writing, but I have lots and lots of additional questions. Thank you.

MR. BLUM: Sir?

MR. ANDERSON: You cut me off for the thing about the line for the Town dumpster. There is contamination going into the Town --

MR. BLUM: Can I ask you to state your name, sir?

MR. ANDERSON: [redacted] Anderson (4)

MR. BLUM: Thank you.

MR. ANDERSON: There is contamination going into the Town dump properties. It has to. The Town is presently dewatering that site constantly. They even have some of their own pits there where they pump water out of the ground into it. They're dewatering even into the land of the sewage treatment system or into the marsh that goes into the legal drainage or the ditch which flow into Lake George in Hobart. And, yet, you don't have it on that site. You're trying to come up with some sort of actions here with where your

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primary contaminant is not even listed here. Your black line stops at the dump, and they're daily dewatering that area without treating.

MR. SMOLKA: Without treating?

MR. ANDERSON: Without treating.

MR. SMOLKA: Okay.

MR. ANDERSON: There's a sewer that runs from there to the Hammond system, the storm sewer, right to the Hammond sewage treatment plant, or they dump it into the lateral which goes into Turkey Creek.

MR. BLUM: Thank you. Are there any other comments? If there aren't, I'm going to close the comment -- you want to comment, sir?

UNIDENTIFIED SPEAKER: Yeah, just one short one.

MR. BLUM: Would you state your name, sir?

MR. STASSIN: Arnold Stassin. (5)

THE COURT REPORTER: Spell the last name, please.

MR. BLUM: Spell the last name.

MR. STASSIN: On the site there of American Chemical, I don't know how deep those -- I don't know if you know how deep those containers are buried, but I'm sure they're down fairly deep. But what I'm more

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concerned about, you limited your testing to a certain area. Did you go beyond that area anyplace, let's say, a half mile, three quarters of a mile away over on the other side of Colfax or Gatlin's property and all those businesses? At one time, it was all swamp area. And the drainage in the lake, does it go that far? Have you tested that?

MR. ADLER: If you're talking about looking for drums, I have not.

MR. STASSIN: Not drums, just contamination.

MR. ADLER: I've not seen any information on that to answer that question.

MR. STASSIN: Have you tested that?

MR. ADLER: No.

MR. STASSIN: How far have you tested, limited?

MR. ADLER: Well, again, this gives a rough idea of where the groundwater has been tested, the yellow. This gives a rough idea. The dark dots is where soil testing has occurred on the property.

MR. STASSIN: So you haven't gone beyond Main Street?

MR. ADLER: Half mile away, no.

MR. STASSIN: All right. Well, the reason, one reason I ask is back to the health situation. And

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unfortunately just a two block area, we'll say, there's a lot of cancer. People has cancer. And they keep talking. And I would hope that someone would be down here too besides myself, but is this causing their problems? And I don't know. That's why I'm asking how far did you go and so forth. Does it go beyond that? And, apparently, you haven't tested that other area. So that's one concern that I have. Okay.

MR. THOMAS: I have another public comment.

THE COURT REPORTER: Can I get your name again?

MR. THOMAS: Joe Thomas. My public comment is that I object to the assumed future use used in developing the amendment to the ROD. I believe that it's unclear, at least it's unclear in answering the questions in this setting, what the reason was for changing that assumed future use. It appears to be that the polluters, that is the potentially responsible parties pushed the EPA into it. And it was a way to get them to revise the ROD so that they could reduce the cost of the cleanup. Now, if that's the case, then it's backwards.

Regarding the assumed future use, it should go back to what it could be rather than what EPA wants it

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to be. And it seems like to me that nobody understands the stakes relative to that question. It's not clear to me that the Town officials do. It's not clear to me that most of the people in the room do. But if, in fact, it was a different assumed future use, then it would change the remedy of the ROD. And, on that basis, it's not clear to me that there's been adequate information about that assumption of future use. And I object to them changing the assumed future use.

MR. BLUM: Okay. Thank you.

MR. SMOLKA: With regard to the comment that was just made, George Smolka again, there is a serious problem with an assumed future use with respect to property rights. If that property at some long time in the future is acquired by somebody else and they wish to use it in some other way by assuming an industrial use, you lock them into that use because these materials are not going to spontaneously disappear. That infringes their right to use the lands. I have a problem with that.

MR. ADLER: Somebody advising the Superfund site is not being very wise because they are also buying the liability that goes with it.

MR. SMOLKA: I mean, you know, this is a

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nice academic argument. But the problem is at some time in the future, will the people have forgotten what was there? Will they simply ignore what was there and then retroactively we have to start this whole God awful mess all over again? I don't think it's a very good idea. I think the material needs to be removed and destroyed either and/or both. And I beg the question simply on the basis of immediate costs differing the total cost to some future generation is totally unfair. It's simply -- it's also not wise.

MR. ADLER: Thank you.

MR. BLUM: Any other comments? If there's not any other comments, what I'll do is I'll close the comment period, we can open the floor back up for another 15 minutes or so for questions and answers. You have a comment, sir, or -- a question, okay. Going once, going twice. A comment, sir?

MR. HANCHAR: Yeah, at the time --

MR. BLUM: Will you state your name, sir?

MR. HANCHAR: Bob Hanchar.

MR. BLUM: Hanchar?

MR. HANCHAR: Hanchar, H-A-N-C-H-A-R. At the time, different time periods when these barrels were supposedly buried was it legal? Was this a legal

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way of disposing of toxic waste?
MR. ADLER: The Superfund law didn't come into being until December of 1980. So anything that happened before that was not addressed by Superfund law.
MR. HANCHAR: It was illegal?
MR. ADLER: Let's say it was improper because we didn't really have any laws unless the local rules applied.
MR. HANCHAR: It basically was legal at the time?
MR. THOMAS: Wouldn't that be covered by RCRA passed in '76 because it was an operating facility at that point?
MR. ADLER: That's probably why they lost their permit to operate as of --
MR. HANCHAR: Well, I know Amoco, 500 residents, in 500 lawsuits they awarded a dollar a piece because Amoco did not intentionally bury the oil. This company intentionally did it. So that's why I'm asking, was it illegal? Legal and proper?
MR. ADLER: I don't believe you can answer that question tonight, but --
MR. THOMAS: I can answer it. It was illegal as hell. Seventy-six was when RCRA was

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passed. That's the operating law about hazardous waste. I mean, if they did it after that, of course it was illegal.
MR. BLUM: Was that your comment, sir?
MR. THOMAS: Thank you.
MR. BLUM: No, thank you. I want to make sure I didn't cut anybody off. Okay. Let's end the comment period -- do you have a comment, sir?
MR. ANDERSON: It's a question.
MR. BLUM: Okay. I'm going to end the comment period, and we're going to open up the floor for some more questions, if that's all right.
MR. ANDERSON: What arrangements do you have with the Town? You say the Town has -- proposing to prepare the dump site themselves, but yet the contamination is on their property. And the process they have, what kind of arrangements do you have with the Town for monitoring or making sure that the contamination doesn't leave their site into the drain or into the Hammond treatment plant which has their own problems. I'm sure Hammond doesn't want any more. The sewage treatment plant is not a toxic waste treatment plant. What arrangements do you have with the Town for monitoring their sites? What schedules do you have with the Town? When are you going to draw

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that black line so you know where the contamination actually occurs on the Town dump site?
MR. ADLER: I don't believe we have any arrangements with the Town right now. And when are we going to extend that line, it's hard to say because we don't know what went into that Town landfill and what may have caused contamination into that Town landfill by dumping occurring in the Town by the Town people to add contamination in that area. So if they've mixed, drawing that line wouldn't tell you very much.
MR. SMOLKA: Kevin, I have to seriously disagree with that. You must have indicator materials that could only have arisen out of American Chemicals.
MR. ADLER: For example, in landfills, municipal landfills, we see barium quite a bit. I don't believe I've seen that as a compound identified of concern on the ACS property.
MR. SMOLKA: Right, but there must be materials that could have only arisen at ACS. So if you use those as indicators, you would at least get an estimate of the degree of percolation.
MR. ADLER: In theory, yes.
MR. SMOLKA: Okay. So, again, back to the question because you're worried about extraneous contamination, fine. You do -- you can't deny with

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the ungodly zoo of materials that are buried at ACS, there must be some materials that are unique enough to give you a pretty good estimate. If you get that estimate, then you can at least separate those things that are the responsibility of the Town and those things that are the responsibility of ACS.
MR. ADLER: But the way to take care of that is the same way, we pump the water out and remove the compounds. So how can you separate the cost of treating this water just to remove compounds put in the landfill as a result of being in the Town landfill versus small amounts of compounds that may have come off the ACS site. You still have to remove the water and treat it. It's going to cost you X amount of dollars to do so. The matter of what is coming up with ACS, if it's organic contamination, it has to be treated in a certain way. There's organic contamination in a Town landfill, not necessarily the exact same compounds as you see coming off of ACS. You find benzene, toluene, xylene in landfills. So if you find that in a landfill water and you know you've got benzene coming off of ACS, why argue over how much benzene is coming from the Town and how much is coming from ACS when you still have to do the same thing to take care of the problem.

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MR. ANDERSON: Nothing is being done. Right now it's being pumped out into the lateral or into Turkey Creek or into the Hammond sewage treatment.
MR. ADLER: I don't know what the Town is doing to close its landfill under State law. That's the responsibility of the State of Indiana to monitor that situation.
MR. ANDERSON: So the State of Indiana is allowing them to pump this into the Hammond treatment plant?
MR. ADLER: And Sean may not necessarily work for the part of Indiana that monitors the Town landfill dump code. That is a question more directed towards the proper people with the State of Indiana. And he can probably try to find that for you.
MR. GRADY: I can try and answer that question for you. At this point --
MR. SMOLKA: What Howard is saying is that this is an integrated problem. You pretend that it's a separated problem. It's not doing the Town of Griffith a great service.
MR. ANDERSON: Not only is it integrated, George, but it's bleeding.
MR. BLUM: I guess what Kevin is saying is that he understands that. To say that there was a

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problem -- we can only hold the PRPs responsible for their areas of operation, the cost recovery.
MR. SMOLKA: The cost aspect of this are legal questions --
MR. THOMAS: Hold it. This directly affects the ROD Amendment. I mean, yes, you can only hold American Chemical Services for their contamination, but they're releasing into another property owner's property contaminants. And it's -- you can infer that from the fact that there's no barium on the ACS site.
MR. ADLER: The ROD Amendment doesn't have anything to do with whether or not we're walking away from cleaning up the groundwater contamination. The ROD Amendment deals with the American Chemical Service property itself, the property inside the barrier wall that is now in place. Outside that barrier wall, the 1992 ROD which is unamended by this proposal says clean up the groundwater to drinkable status achieving maximum contaminant levels under the Safe Drinking Water Act. That is not impacted by this proposal. That is still in place and has to occur.
MR. THOMAS: You mean -- I don't understand. You mean, over the line into the Munster landfill?
MR. GRADY: The old ROD, the 1992 ROD

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included monitoring of this plume that's outside this property that we've --
MR. ANDERSON: Except the properties that bleed from the dump.
MR. THOMAS: That's what we're asking about.
MR. ADLER: And the fuzzy part -- you know, I'll agree with you there. The fuzzy part is what do you do within the Town of Griffith Landfill. That's the question that we need to ask the appropriate people within the State.
MR. THOMAS: Number one, legally, wouldn't we want to provide for it in an amended ROD? If you're going to amend it, why not -- for instance, there should be liability of the PRPs relative to the flow into the landfill.
MR. ADLER: That type of information is not put into a Record of Decision. The Record of Decision just governs how we intend to clean up the site. Assigning legal blame does not occur in a Record o Decision. So it really wouldn't impact do we keep the '92 ROD or we do the ROD amendment as to laying of blame.
MR. ANDERSON: This gentleman asked earlier about direction of flow. The main direction of flow is through the dump from that off site.

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MR. THOMAS: I don't care who you blame. It sure affects how much money they're going to make.
MR. ANDERSON: You have a little bit --
MR. ADLER: Depending on where you are on the site, you recognize this was an item from 1996. The barrier wall is not in place. Again, in the upper aquifer, water is flowing under the influence of gravity, from a high level to a low area. In general, in this area in the south, water is flowing in the way you see it pointing.
MR. ANDERSON: But there is no drain out there. The drain is to my left. That's the legal drain. Lateral, Turkey Creek that area is continually draining and therefore is continually accepting groundwater.
MR. ADLER: You're talking about this (indicating) area?
MR. ANDERSON: Here's (indicating) the lateral. It goes right through here, right through there. There's a lateral. It comes way up here (indicating), down through here (indicating), through the south part of Griffith along Broad Street out to Turkey Creek. That is continually being watered.
This area down here (indicating), once the water gets down there, it's not going to travel any farther

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because there's just a low spot down there and that's it. Unless, there's some industrial -- unless there's some pumping of groundwater down here (indicating), the water simply stops. Here (indicating) as the water flows off, it gets into the great -- it goes up. This area is all dewatering. Water is always flowing through here and through here (indicating). Here (indicating) it simply stops.

MR. ADLER: Okay. That's fine. Now --

MR. ANDERSON: So you've got under the dump here. You've got through the dump here. You've got all this water going into that drain heading out toward Merrillville and Schererville.

MR. ADLER: You've forgotten that the barrier wall is in place. It goes in this area here (indicating). In fact, it's cut off. It has some municipal trash inside of it. It's gone into part of the area that has a municipal trash in it. So it's cut off in these areas here (indicating).

MR. THOMAS: You're still pumping water, you're treating it in your treatment plant. At the same time, water is being deliberately pumped out of here into the drainage system and into the sewers.

MR. ADLER: I can't answer as to what the

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Town is doing with its water. That's a question for the State of Indiana to answer. I can answer for the areas of the plume around here (indicating) and here (indicating), and here (indicating) for the 1992 ROD. We are pumping water out of the ground here (indicating). That creates an area of direction of flow this way (indicating). We're pumping, creating the low spot so it flows into the low spot. The small area over here (indicating) is covered by the Town of Griffith Landfill. I don't know the percentage of ACS pollution if there is any. I can't tell you. There's no way I can tell you that. I don't know how they're pumping out water and letting it drain out. That would be a question, again, for the State to answer.

MR. ANDERSON: It's something you should know also.

MR. ADLER: It's not important for the ROD amendment because the 1992 ROD says clean up groundwater outside of this area to achieve drinkable status. And we're not changing that goal. It's not being addressed by this proposed amendment. It could take a very long time to clean up contaminated groundwater just by pumping and treating it. That's why we try to prevent it.

UNIDENTIFIED SPEAKER: If you bury a bar of

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soap, why wait for it to dissolve? Why not dig up the bar of soap?

UNIDENTIFIED SPEAKER: Okay. Now, if you go in there like these people want to do, just go in there and take every goddamn thing that's in the ground, I mean, I'm all for it. I work there. I'd rather go in there and dig up everything. What are you going to do? You want to take it to your backyard? You want to take it to yours? I walk on it every day. I'm saying, you want to take it to your backyard? A lot of these people don't want it in their yards. I got 25 years there. I would like to get it cleaned up as quick as I could.

UNIDENTIFIED SPEAKER: Where would it be taken?

MR. ADLER: The drums that we are able to dig out of the ground in the northern part of the property somewhere between 400 and twenty-five hundred drums could be recovered, those would be sampled and tell us what type of waste is inside and sent off to the facility that will dispose of it properly. That could be incineration or a chemical waste landfill.

MR. SMOLKA: Please speak up, Kevin.

MR. THOMAS: He's asking a question about where it would be taken.

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MR. ADLER: I don't know. It depends on who has the best bid for destruction of that material. It could be within the State. It could be within the local area. It just depends on economics at that point.

As far as digging up the whole contaminant mass, where would you take that, you would not take it anywhere. The 1992 ROD says dig up that contaminant mass. Process it so it can fit into a treatment machine. Treat it to remove the waste contaminants from it and destroy it or remove the contaminants off site for destruction. Then take that soil and debris that's been processed so it's clean and place it back in the hole. So it wouldn't go anywhere.

UNIDENTIFIED SPEAKER: In other words, just leave it right where it's at?

MR. ADLER: It would go back. So all those drums, whether it's 80,000 or 30,000 would have to be ground up so it can fit into the machine and processed and then go back into the ground. Now, if there's metals in there that create a problem that are leaching, if water comes in and leaches them at high levels, the treated material that would come out of the thermal treatment device would have to be solidified in some manner using cement, for example,

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to prevent further leaching of those metals. So you would have to take that, if it was contaminated with metals, take that mass, mix it with concrete which is a standard method of treatment.

MR. SMOLKA: Or recover and recycle depending on the value of the material.

MR. ADLER: And put it back into the ground and create a barrier over it, so you do have to have contact with it.

MR. BLUM: We have a couple more minutes.

MR. ANDERSON: Can I ask one question of Sean?

MR. GRADY: Yes.

MR. ANDERSON: Could you please bring that information back, what the Town is doing in relation, what they're doing --

MR. GRADY: -- your phone number.

MR. ANDERSON: And in relation to the Superfund site. You've got two things going on and you really can't separate them as much as you say you try.

MR. ADLER: We're not trying to separate. We're not trying to walk away. I don't know what the Town is doing with its water, whether it's contaminated or not. I can't answer that. What I'm

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saying is this proposal -- groundwater contamination plume.

MR. THOMAS: Has the EPA asked the Town officials what they think of this proposed amendment?

MR. ADLER: Not formally, but yes formally during this comment period, the Town --

UNIDENTIFIED SPEAKER: Are they here?

MR. ADLER: I don't know them.

MR. THOMAS: Informally, though, did they indicate to you it was a bad idea?

MR. ADLER: I have not spoken with them, so I don't know.

MR. THOMAS: Is there anything in the record that indicates correspondence -- that indicates what their opinion is?

MR. ADLER: No.

MR. BLUM: Again, that's what the comment period is for.

MR. THOMAS: No. The comment period is for specific official positions. I'm asking a question about, has there been communication back and forth. And has the town official said, "Oh, yeah. Go ahead. Push it through. We won't object"?

MR. ADLER: That type of discussion, to my knowledge, I have not held those discussions.

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MR. THOMAS: Are you from the State?

MR. GRADY: Yes. Not that I am aware of.

MR. THOMAS: What's your opinion on this remedy?

MR. GRADY: Of this remedy --

MR. THOMAS: Yeah.

MR. GRADY: -- that we proposed? I believe it is protective enough to effectively address the contamination at this site.

MR. SMOLKA: I guess I would have a closing comment. Until and unless that material is completely removed, it serves as a source of continued contamination. The barrier that you're putting up, you have no history to show that that barrier will last more than 15 years. So I think it's essentially futile and misleading. You say you're putting up a barrier but because this kind of technology has only been in use for a relatively limited period of time, you cannot say with any degree of certainty that this thing will last more than 15 years. Since that is the case, your remedy is seriously flawed. Now, when you have a hundred years of history that you can go back to say, yeah, the site in Northern New York has been in place for fifty years or a hundred years and it worked, then fine. But, as of right now, I see an

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awful lot of technical problems. And you don't have the answers. And if you pretend that you have the answers, I think you're misleading the public.

MR. BLUM: I just want to take this chance to thank everyone for coming and again stress that the comment period runs to May 21st. And, again, you can fax or write to us. The numbers and addresses is listed in this fact sheet. There's fact sheets over on the table there. If you didn't sign in, I'd please ask that you do so. That's so that we have you on a mailing list so that when information comes available such as these fact sheets, so that we can continually keep you updated on what's going on at the site.

MR. SMOLKA: Do you have a mailing address?

MR. BLUM: Yes, I do. It's in the fact sheet. I'm actually filling in tonight for Noemi Emeric who is usually the point of contact for the community on this site. Noemi's name and phone number is in this fact sheet. And if you want to hang around and ask more questions, we'll make ourselves available. Please call us at any time. There's also an 800 number. Thank you again for coming.

(The meeting was concluded at 9:00 p.m.)

TE OF INDIANA )
) SS:
NTY OF LAKE )

REPORTER'S CERTIFICATE

I, MICHELLE L. HAMLETT, do hereby certify and state above and foregoing 100 pages are a true, correct and plete transcript of the U.S. Environmental Protection ncy Public Meeting, taken by me on said date, nscribed by me from my original stenotype notes, and uced to typewriting by me.

That I am not related to, employed by, or interested any party to this action.

IN WITNESS WHEREOF, I hereby affix my name and seal s _____ day of _____, 1999.

_____
MICHELLE L. HAMLETT
Notary Public

STATE OF INDIANA )
) SS:
COUNTY OF LAKE )

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I, MICHELLE L. HAMLETT, do hereby certify and state the above and foregoing 100 pages are a true, correct and complete transcript of the U.S. Environmental Protection Agency Public Meeting, taken by me on said date, transcribed by me from my original stenotype notes, and reduced to typewriting by me.

That I am not related to, employed by, or interested in any party to this action.

IN WITNESS WHEREOF, I hereby affix my name and seal this 5th day of June, 1999.

Michelle L. Hamlett

MICHELLE L. HAMLETT
Notary Public

My commission expires January 18, 2000.